

Fill in this information to identify the case:			
Debtor 1	<u>Michael L Benavidez</u>		
Debtor 2 (Spouse, if filing)	<u>Teresa Benavidez</u>		
United States Bankruptcy Court for the:	<u>Northern</u>	District of	<u>Illinois</u> (State)
Case number	<u>16-11270</u>		

## Official Form 410S1

# Notice of Mortgage Payment Change

12/15

If the debtor's plan provides for payment of postpetition contractual installments on your claim secured by a security interest in the debtor's principal residence, you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

**Name of creditor:** Deutsche Bank National Trust Company, as trustee for  
Morgan Stanley ABS Capital I Inc. Trust 2006-HE8  
Mortgage Pass-through Certificates, Series 2006-HE8

**Court claim no. (if known):** 36

**Last 4 digits** of any number you use to  
Identify the debtor's account: 2659

### Date of payment change:

Must be at least 21 days after  
date  
of this notice

10/01/2020

### New total payment

\$1,098.86

Principal, interest, and escrow, if  
any

## Part 1: Escrow Account Payment Adjustment

### 1. Will there be a change in the debtor's escrow account payment?

☐ No

☒ Yes. Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law. Describe the basis for the change. If a statement is not attached, explain why: \_\_\_\_\_

**Current escrow payment:** \$317.68

**New escrow payment:** \$394.62

## Part 2: Mortgage Payment Adjustment

### 2. Will the debtor's principal and interest payment change based on an adjustment to the interest rate on the debtor's variable-rate account?

☒ No

☐ Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable non-bankruptcy law. If a notice is not attached, explain why: \_\_\_\_\_

**Current interest rate** \_\_\_\_\_ %

**New interest rate:** \_\_\_\_\_ %

**Current principal and interest payment:** \$ \_\_\_\_\_

**New principal and interest payment:** \$ \_\_\_\_\_

## Part 3: Other Payment Change

### 3. Will there be a change in the debtor's mortgage payment for a reason not listed above?

☒ No

☐ Yes. Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement. (Court approval may be required before the payment change can take effect.)

Reason for change: \_\_\_\_\_

**Current mortgage payment:** \$ \_\_\_\_\_

**New mortgage payment:** \$ \_\_\_\_\_

Debtor 1 Michael L Benavidez  
First Name Middle Name Last Name

Case number (if known) 16-11270

**Part 4: Sign Here**

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number.

Check the appropriate box.

- ☐ I am the creditor.  
☒ I am the creditor's authorized agent.

**I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.**

x /s/ Peter C. Bastianen  
Signature

Date 9/9/2020

Print Peter C. Bastianen  
First Name Middle Name Last Name

Title Attorney for Creditor

Company Codilis & Associates, P.C.

Address 15W030 North Frontage Road, Suite 100  
Number Street

Burr Ridge IL 60527  
City State ZIP Code

Contact phone (630) 794-5300

Email ND-Four@il.cslegal.com

File #14-16-04630

CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that I have served a copy of this Notice upon the parties listed below, as to the Trustee and Debtor's attorney via electronic notice on September 9, 2020 and as to the debtor by causing same to be mailed in a properly addressed envelope, postage prepaid, from 7140 Monroe Street, Willowbrook, IL 60527 before the hour of 5:00 PM on September 9, 2020.

Glenn B Stearns, Chapter 13 Trustee, 801 Warrenville Road Suite 650, Lisle, IL 60532 by electronic notice through ECF  
Michael L Benavidez , Teresa Benavidez , Debtor(s), 615 N Glenwood Place, Aurora, IL 60506  
David H Cutler, Attorney for Debtor(s), 4131 Main St., Skokie, IL 60076 by electronic notice through ECF  
Office of U.S. Trustee, 219 S. Dearborn St., Room 873, Chicago, IL 60604 by electronic notice through ECF

/s/ Peter C. Bastianen

Berton J. Maley ARDC#6209399  
Rachael A. Stokas ARDC#6276349  
Peter C. Bastianen ARDC#6244346  
Joel P. Fonferko ARDC#6276490  
Brenda Ann Likavec ARDC#6330036  
Terri M. Long ARDC#6196966  
Codilis & Associates, P.C.  
15W030 North Frontage Road, Suite 100  
Burr Ridge, IL 60527  
(630) 794-5300  
File #14-16-04630

NOTE: This law firm is a debt collector.

## Your annual escrow statement

July 27, 2020

PERSONAL INFORMATION REDACTED

MICHAEL BENAVIDEZ  
615 N GLENWOOD PL  
AURORA, IL 60506-3540

Loan number: [REDACTED]

### Questions?

Visit us at  
[www.MortgageQuestions.com](http://www.MortgageQuestions.com)  
Call toll free 1-888-820-6474  
Fax 1-856-917-8300

### Why am I getting this statement?

In accordance with federal guidelines your escrow account is reviewed at least one time per year; however, certain circumstances may require an additional review. This statement is a result of that review known as an escrow analysis statement, which determines if sufficient funds are available to pay your taxes and/or insurance. This statement is a projection of your escrow account and may also include a history of the escrow activity on your loan since the time you last received an escrow analysis statement. The enclosed update follows notice of the account's involvement in a bankruptcy petition, filed on March 31, 2016 under chapter 13 of the Bankruptcy Code. This statement should be reviewed carefully. The mortgage payment may be affected. Please contact us at the number above if this account is not part of a Chapter 13 proceeding or plan. If this account has filed for any other Bankruptcy protection or received an Order of Discharge in a Chapter 7 bankruptcy case, or received any other discharge under the U.S. Bankruptcy Code that applied to the referenced property, please be advised that this Notice is for information purposes only and not intended as an attempt to collect a debt against you personally.

### What does this mean to me?

Because your escrow account is projected to have less money than is needed, there is a shortage of **\$532.47**.

**Option 1)** Do Nothing: The monthly shortage for the next 12 months is **\$44.37** and will automatically be added to your monthly payment beginning **October 2020**. Your new monthly payment for **October 2020** will be **\$1,098.86**.

**Option 2)** Pay the escrow shortage as a lump sum using the attached shortage coupon. If you pay your escrow shortage by **September 20, 2020**, then your new monthly payment will be **\$1,054.49** effective with your **October 2020** mortgage payment.

### What is a shortage?

A shortage is the difference between the **anticipated** escrow balance and the **required** escrow balance at the beginning of the analysis cycle. A shortage typically results from changes in taxes and/or insurance. Please refer to the enclosed FAQ for additional information.

<b>Anticipated</b> escrow account balance (as of September 30, 2020):	\$474.59
Escrow adjusted per Proof of Claim*	\$43.73
<b>Required</b> escrow account balance (as of September 30, 2020 ):	\$1,050.79
<b>Difference resulting in an escrow account shortage:</b>	<b>\$532.47</b>

\*This amount reflects the adjustment made for the Bankruptcy Proof of Claim:

See reverse →

This communication is from a debt collector attempting to collect a debt; any information obtained will be used for that purpose. However, if the debt is in active bankruptcy or has been discharged through bankruptcy, this communication is provided purely for informational purposes only with regard to our secured lien on the above referenced property. It is not intended as an attempt to collect a debt from you personally. As may be required by state law, you are hereby notified that a negative credit report reflecting on an account holder's credit record may be submitted to a credit reporting agency if credit obligation terms are not fulfilled.

Tear off here

Page 1 of 3

## Escrow analysis Coupon

Borrower Name: MICHAEL BENAVIDEZ

Loan Number: [REDACTED]

☐ I choose to repay the shortage of \$ \_\_\_\_\_ in full.

Shortage Amount: \$532.47

Make the check payable to **PHH Mortgage Services** and mail it with this coupon in the envelope provided. Your lump sum payment must be received by **September 20, 2020** to be effective with your **October 2020** payment.

You may also pay your shortage online by visiting the website shown at the top of this statement.

PHH Mortgage Services  
PO BOX 371867  
PITTSBURGH, PA 15250-7867

**What is my new monthly payment?**

**The following table reflects your current monthly payment and new monthly payment for each option:**

	<b>Current Payment</b>	<b>New Payment with Shortage - Opt 1</b>	<b>New Payment without Shortage - Opt 2</b>
Principal & Interest	\$704.24	\$704.24	\$704.24
Escrow Deposit	\$317.68	\$350.25	\$350.25
Escrow Shortage		\$44.37	
<b>Total Payment</b>	<b>\$1,021.92</b>	<b>\$1,098.86</b>	<b>\$1,054.49</b>

***If your payment is issued by a third party, or if you make payments through a bill pay service, then please make sure your new total monthly payment amount is updated with your service provider.***

#### Payment Change Breakdown

Below are the escrow items we anticipate collecting for and paying on your behalf over the next 12 months. To calculate your new monthly escrow payment of \$350.25, we added up the actual or estimated tax and insurance payments for the next 12 months beginning with the October 2020 payment and divided the total by 12. Included for the comparison are the Annual Payments we projected to pay during the **last analysis cycle**, as displayed in detail in the history portion of the escrow analysis statement.

<b>Description</b>	<b>Current Annual Payment</b>	<b>Projected Annual Payment</b>
Taxes	\$3,812.12	\$4,203.04
<b>TOTAL</b>	<b>\$3,812.12</b>	<b>\$4,203.04</b>

#### Prior Year Account History and Coming Year Projections

**This statement itemizes your actual escrow account transactions since your previous analysis statement or initial disclosure and projects payments, disbursements and balances for the coming year.** The projections from your previous escrow analysis are included with the actual payments and disbursements for the prior year. By comparing the actual escrow payment with the previous projections listed, you can determine where a difference may have occurred. When applicable, the letter "E" beside an amount indicates that all or a portion of a payment or disbursement on that row has not yet occurred but is estimated to occur as shown. An asterisk (\*) beside an amount indicates a difference from projected activity either in the amount or date.

Projections are included to ensure sufficient funds are available to pay your taxes and/or insurance for the coming year. Under Federal Law (RESPA) the lowest monthly balance in your escrow account should be no less than \$700.50 or 1/6th of the total annual projected disbursement from your escrow account, unless your mortgage documents or state law specifies otherwise.

Your projected anticipated lowest account balance of \$124.30 will be reached in August 2021. When subtracted from your minimum required balance of \$700.50, an Escrow Shortage results in the amount of \$532.47. These amounts are indicated with **LP**. You will receive an Annual Escrow Account Disclosure Statement reflecting the actual disbursements at the end of the next escrow analysis cycle. However, you should keep this statement for your own records for comparison. If you have any questions about this statement, please call our Customer Service Department toll free at **1-888-820-6474**.

When you provide a check as payment, you authorize us either to use the information from your check to make a one-time electronic fund transfer from your account, or to process the payment as a check transaction. When we use information from your check to make an electronic fund transfer, funds may be withdrawn from your account as soon as the same day we receive your payment, and you will not receive your check back from your financial institution. If you do not want us to use the information from your check to make a one time electronic funds transfer or if you have any questions, please call us at the phone number shown on the front of this statement.

#### Change of name or address

If your contact information has changed, please give us the new information below.

Name (first, middle, last)		
Address (number and street)		Suite no.
City	State	Zip code
Home telephone (     )	Business telephone (     )	Extension
E-mail address		



## Your annual escrow statement (continued)

July 27, 2020

MICHAEL BENAVIDEZ  
615 N GLENWOOD PL  
AURORA, IL 60506-3540

Loan number: [REDACTED]

### Questions?

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Call toll free 1-888-820-6474  
Fax 1-856-917-8300

### Escrow account projections for the coming year

Date	Description	Anticipated amounts paid into your escrow account (\$)	Anticipated amounts paid out of your escrow account (\$)	Anticipated escrow account balance (\$)	Required escrow account balance (\$)
	<b>Opening balance</b>			<b>474.59</b>	<b>1,050.79</b>
Oct 2020		350.25		824.84	1,401.04
Nov 2020		350.25		1,175.09	1,751.29
Dec 2020		350.25		1,525.34	2,101.54
Jan 2021		350.25		1,875.59	2,451.79
Feb 2021		350.25		2,225.84	2,802.04
Mar 2021		350.25		2,576.09	3,152.29
Apr 2021		350.25		2,926.34	3,502.54
May 2021	COUNTY TAX	350.25	2,101.52	1,175.07	1,751.27
Jun 2021		350.25		1,525.32	2,101.52
Jul 2021		350.25		1,875.57	2,451.77
Aug 2021	COUNTY TAX	350.25	2,101.52	124.30	700.50 LP
Sep 2021		350.25		474.55	1,050.75
<b>Total</b>		<b>\$4,203.00</b>	<b>\$4,203.04</b>		

LP - indicates your required escrow lowest balance

### Prior year account History

Date	Description	Amounts paid into your escrow account		Amounts paid out of your escrow account		Escrow account balance	
		Anticipated (\$)	Actual (\$)	Anticipated (\$)	Actual (\$)	Anticipated (\$)	Actual (\$)
	<b>Opening balance</b>					<b>953.00</b>	<b>865.47</b>
Oct 2019		317.68	317.68			1,270.68	1,183.15
Nov 2019		317.68	*			1,588.36	1,183.15
Dec 2019		317.68	317.68			1,906.04	1,500.83
Jan 2020		317.68	*			2,223.72	1,500.83
Feb 2020		317.68	317.68			2,541.40	1,818.51
Mar 2020		317.68	635.36 *			2,859.08	2,453.87
Apr 2020		317.68	*			3,176.76	2,453.87
May 2020	COUNTY TAX	317.68	*	1,927.96	2,101.52*	1,566.48	352.35
Jun 2020		317.68	635.36 *			1,884.16	987.71
Jul 2020		317.68	953.04 E		E	2,201.84	1,940.75
Aug 2020	COUNTY TAX	317.68	317.68 E	1,884.16	2,101.52E	635.36	156.91
Sep 2020		317.68	317.68 E		E	953.04	474.59
<b>Total</b>		<b>3,812.16</b>	<b>3,812.16</b>	<b>3,812.12</b>	<b>4,203.04</b>		